

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MATTHEW LEIGH CLAUSEN,

Defendant.

8:18CR172

**ORDER ON APPEARANCE FOR
SUPERVISED RELEASE VIOLATION**

The defendant appeared before the Court on February 12, 2025 regarding Fourth Amended Petition for Offender Under Supervision [131]. Jeffrey Thomas represented the defendant. Susan Lehr represented the government. The defendant was advised of the alleged violation(s) of supervised release, right to retain or appointment of counsel, and any right to a preliminary hearing in accordance with Federal Rule of Criminal Procedure 32.1(a)(3).

The government made an oral motion to dismiss Third Amended Petition for Offender Under Supervision [130], Second Amended Petition for Offender Under Supervision [128], Amended Petition for Offender Under Supervision [127], and Petition for Offender Under Supervision [122]. The government's oral motion to dismiss Third Amended Petition for Offender Under Supervision [130], Second Amended Petition for Offender Under Supervision [128], Amended Petition for Offender Under Supervision [127], and Petition for Offender Under Supervision [122] is granted without objection.

The defendant freely, knowingly, intelligently, and voluntarily waived the right to a preliminary hearing. Fed. R. Crim. P. 32.1(b)(1)(A). The Court finds probable cause as alleged in the petition to believe the defendant violated the terms of supervised release and the defendant should be held to answer for a final dispositional hearing. Fed. R. Crim. P. 32.1(b)(1)(C). The defendant shall appear personally for a final dispositional hearing before Chief U.S. District Judge Robert F. Rossiter, Jr. in Courtroom No. 4, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 1:30 p.m. on March 26, 2025.

The government moved for detention based upon risk of flight and danger. The defendant requested a detention hearing which was held. The defendant met his burden to establish by clear and convincing evidence that he will not flee or pose a danger to any other person or to the community. Fed. R. Crim. P. 32.1(a)(6). The government's motion for detention is denied, and the defendant shall be released on the current terms and conditions of supervision. The defendant's condition of remote alcohol testing is extended for 90 days. Defendant shall not enter or frequent any establishment whose primary service is alcohol. 18 U.S.C. § 3143(a)(1). The government may renew its request for detention should continued violations occur.

IT IS SO ORDERED.

Dated this 12th day of February, 2025.

BY THE COURT:

s/ Ryan C. Carson
United States Magistrate Judge